

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

KIMBERLY HARTMAN

Plaintiff,

v.

CENTRA HEALTH, INC.,

and

**STEPHANIE EAST, NATHAN
CAMPBELL and WESLEY THOMAS
GILLESPIE,**

Defendants.

Case No.: 6:20CV00027

JOINT REPORT OF THE PARTIES PURSUANT TO RULE 26(f)

Pursuant to this Court's July 15, 2019 Order, ECF No. 9, and Rule 26(f) of the Federal Rules of Civil Procedure, a telephone conference was held on August 17, 2020 by and between counsel for plaintiff, Kimberly Hartman ("Plaintiff") and counsel for defendants, Centra Health Inc., Stephanie East, and Nathan Campbell ("Defendants"). The following is the case management schedule/report, which the parties jointly prepared:

1. Scheduling Order and Federal Rules of Civil Procedure. The parties have agreed to abide by the discovery limitations within the Federal Rules of Civil Procedure ("Rules") and the deadlines established by the Scheduling Order, ECF No. 9 with the following exceptions:

(1) Plaintiff's Initial Expert Disclosures shall be served or before January 15, 2021 and

(2) Defendants' Initial Expert Disclosures shall be served on or before March 1, 2021.

2. Discovery Plan. Defendants assert that discovery should be deferred until 30 days after the ruling on any motions to dismiss Plaintiff's Amended Complaint because these motions relate to whether there is federal jurisdiction for this lawsuit and affect the scope of discovery.

Plaintiff disagrees and believes that discovery should commence immediately. The parties will attempt to work out their disagreements on this issue and, if they are unable, seek assistance from the Court.

3. Rule 26(a) Initial Disclosures. The parties have agreed to make their initial disclosures on or before September 15, 2020.

4. Expert Reports. The parties agree to modify the expert report deadlines set forth in Rule 26(a)(2)(D) as follows: (1) Plaintiff's Initial Expert Disclosures shall be served or before January 15, 2021 and (2) Defendants' Initial Expert Disclosures shall be served on or before March 1, 2021.

5. Prospect of Settlement. The parties have discussed whether or not this case may be capable of early resolution. The parties believe that they will be in a better position to discuss settlement after some or all discovery has taken place.

6. Issues of Privilege. The parties ask that the Court deal with issues of privilege when, and if, they arise. As with any discovery motion, the parties shall confer with Judge Ballou prior to filing any formal motion.

7. Other Necessary Orders the Court Should Issue Under Rule 26(c) or under Rule 16(b) and (c). The parties agree to work in good faith towards the filing of a jointly approved protective order because they believe that such an order is necessary to protect the parties' confidential and proprietary business, health or other information. The protective order shall provide for a sealing procedure that complies with Western District of Virginia Local Rule 9.

8. Timing and length of Trial. The trial has been set for September 22-24, 2021.

Dated: August 26, 2020

Respectfully submitted,

By: /s/ M. Paul Valois
M. Paul Valois, Esq.
JAMES RIVER LEGAL ASSOCIATES
7601 Timberlake Road
Lynchburg, VA 24502
Phone: 434-845-4529
Fax: 434-845-8536
mvalois@vbclegal.com

Counsel for Plaintiff Anthony Smith
Attorney for Plaintiff

Respectfully submitted,

By: /s/ Joseph W. Milam III
Joshua F. P. Long (VSB No. 30285)
Joshua R. Treece (VSB No. 79149)
J. Walton Milam, III (VSB No. 89406)
Woods Rogers PLC
P.O. Box 14125
10 South Jefferson Street, Suite 1400
Roanoke, Virginia 24038-4125
Telephone: (540) 983-7600
Facsimile: (540) 983-7711
jlong@woodsrogers.com
jtreece@woodsrogers.com
wmilam@woodsrogers.com

Defendants Centra Health, Inc., Stephanie
East, and Nathan Campbell

CERTIFICATE OF SERVICE

I hereby certify that on August 26, 2020, the foregoing was filed with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to all Counsel of record.

J. Walton Milam III